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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVE H. BUNDY

Defendant.

Case No.: 2:16-CR-00046-GMN-PAL

**POTTER LAW OFFICES' MOTION TO  
WITHDRAW AS COUNSEL**

COMES NOW Defendant, DAVID BUNDY, by and through his counsel, CAL J. POTTER, III, ESQ. and C. J. POTTER, IV, ESQ., of POTTER LAW OFFICES, and pursuant to Local Rule IA 11-6 of the U.S. District Court Rules, District of Nevada, hereby moves to withdraw as attorneys for Plaintiff.

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1 This Motion is based upon the following Points and Authorities and the Declaration of  
2 Counsel.

3 DATED this 10th day of October, 2017.

4 POTTER LAW OFFICES

5 By /s/ C. J. Potter, IV, Esq.  
6 CAL J. POTTER, III, ESQ.  
7 Nevada Bar No. 1988  
8 C. J. POTTER, IV, ESQ.  
9 Nevada Bar No. 13225  
10 1125 Shadow Lane  
11 Las Vegas, Nevada 89102  
12 *Attorneys for Plaintiff*

13 **MEMORANDUM OF POINTS AND AUTHORITIES**

14 **I.**

15 **DECLARATION OF COUNSEL**

16 C. J. Potter, IV, being first duly sworn, and says:

17 1. That Your Declarant is duly licensed to practice law in the State of Nevada, and in  
18 that capacity is the associate attorney for Cal J. Potter, III, Esq;

19 2. That Cal J. Potter, III, Esq. and C. J. Potter, IV, Esq. are the only two attorneys at  
20 Potter Law Offices and C. J. Potter, IV, Esq.;

21 3. That Cal J. Potter, III, Esq. underwent emergency brain surgery on July 29, 2017,  
22 and remains in skilled nursing for indeterminate time, and will require oncological treatment;

23 4. That immediately thereafter C J. Potter, IV contacted the State Bar of Nevada,  
24 and was informed that he is an associate attorney, and that the clients of Potter Law Offices are  
25 Cal J. Potter, III's clients;

26 5. That Cal J. Potter, III was diagnosed with a primary grade 4 Glioblastoma  
27 affecting his parietal, temporal, and occipital lobes;

28 6. That Cal J. Potter, III's present physical condition materially impairs the lawyer's  
ability to represent his clients;

7. That without Cal J. Potter, III, Esq. physically able to practice law, C. J. Potter,  
IV, Esq. cannot continue with representation in this matter;



1 Here, there are extreme extenuating circumstances concerning counsel of record's health  
2 and the attendant burdens placed upon his son and associate that demonstrate good cause to  
3 withdraw as counsel.

4 **III.**

5 **CONCLUSION**

6 Based on the foregoing reasons Counsel respectfully requests to withdraw as counsel of  
7 record in any further actions or proceedings

8 DATED this 10th day of October, 2017.

9 POTTER LAW OFFICES

10 By /s/ C. J. Potter, IV, Esq.  
11 CAL J. POTTER, III, ESQ.  
12 Nevada Bar No. 1988  
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14 Nevada Bar No. 13225  
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16 Las Vegas, Nevada 89102  
17 *Attorneys for Plaintiff*  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 10th day of October, 2017, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record.

- ☐ Facsimile  
☒ U.S. Mail  
☐ Hand Delivery  
☐ Electronic Filing/Service

David Bundy  
ID # 46088374  
Nevada Southern Detention Center  
2190 E. Mesquite Avenue  
Pahrump, Nevada 89060

/s/ Stacie Comerio  
An Employee of Potter Law Offices